

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.23679 of 2015

Date of decision: 21st September, 2015

Gursewak Singh @ Kukki

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

1. Whether Reporters of Local Newspapers may be allowed to see the judgment?
2. Whether to be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. Parminder Singh, Advocate for the petitioner.
Mr. C.S. Brar, Dy. Advocate General, Punjab
with SI Bhupinder Singh, PS Talwandi Sabo, Bathinda.
Mr. Sidharth Gupta, Advocate
for the complainant.

FATEH DEEP SINGH, J. (ORAL)

Allegations against the petitioner Gursewak Singh @ Kukki in this petition filed under Section 439 Cr.P.C. seeking regular bail in case FIR No.259 dated 05.12.2014 registered at Police Station Talwandi Sabo, District Bathinda under Sections 307/323/34 IPC, are that on 03.12.2014 he along with his co-accused armed with Gandasa had assaulted injured Sukhjinder Singh. The petitioner is attributed single injury on the head of the complainant.

In compliance of the previous orders of this Court, Mr. Inder Mohan Singh, SSP Moga has come present before this Court.

Contentions of the learned counsel for the petitioner are that there is no substantial medical evidence to show that the injury attributed to the petitioner is dangerous to life. On the very specific query, learned State counsel on instructions from SI Bhupinder Singh, Police Station Talwandi Sabo, District Bathinda has conceded to the fact that neither there is any CT Scan much less medical opinion as to the depth of the bone cut, and thus it is a debatable issue as to the nature of the injury.

In view of these peculiar circumstances, keeping in view the contentions of petitioner's counsel that petitioner is in custody since more than nine months and that trial will take a long time to conclude which is not controverted by the learned State counsel, this Court is of the opinion that no useful purpose will be served by keeping the petitioner in custody in the present case. Accordingly, he is ordered to be released on regular bail to the satisfaction of trial Court.

The present petition stands disposed off accordingly.

(FATEH DEEP SINGH)
JUDGE

September 21, 2015
rps